

PF-2894
Amendment dated 02/14/2008

09/983,041
Reply to office action mailed 12/11/2007

REMARKS

Claims 1-29, 31-38, 40-47 and 49-55 are currently pending in the application. By this amendment, claims 4-5, 19-20, 32-33, 42, 44, 51 and 53 are canceled and claims 1, 14, 16, 29, 38, 43, 47 and 52 are amended for the Examiner's consideration. The foregoing separate sheets marked as "Listing of Claims" show all the claims in the application, with an indication of the current status of each .

The Examiner's withdrawal of the previous objection to the drawings is acknowledged with appreciation.

The Examiner's withdrawal of the previous objection to claims 1 and 16 is also acknowledged with appreciation. The Examiner's concern, however, is well taken. It is the applicant's intention to maintain the distinction between a table that contains an image or sound file and a table that contains a pointer to the image or sound file. This is important because it mirrors operation of the invention. The point of the invention is to be able to transmit an identifier from a sender to a receiver, without burdening the limited bandwidth channel between sender and receiver with the image or sound file itself. This purpose is accomplished by relying upon a table that connects the low bandwidth identifier with the high bandwidth image or sound file. The table has certain characteristics that accommodate the bandwidth concerns of the invention and which, together with the other aspects of the invention as claimed, distinguish the prior art of record.

Of course, if the receiver does not already possess the identified image or sound file, the required image or sound file must be acquired by the receiver, e.g. by downloading a table from a server as described in claims 11. Note that claims 4 and 5 (and also claims 19-20, 32-33, 42, 44, 51 and 53) provide alternative descriptions of

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the table referred to in claim 1 (and also referred to in each of the independent claims 16, 29, 38 and 47). In claim 4 the table includes the “designating data which designate necessary data for displaying” and in claim 5 the table includes the “necessary data” itself. Claims 19 and 20 provide comparable distinctions with regard to claim 16, claims 32 and 33 provide comparable distinctions with regard to claim 29, claims 42 and 44 provide comparable distinctions with regard to claim 38, and claims 51 and 53 provide comparable distinctions with regard to claim 47. In order to distinguish the prior art now of record, these limitations characterizing the table in its accommodation to the bandwidth concerns of the invention have been incorporated into the independent claims and these claims (4-5, 19-20, 32-33, 42, 44, 51 and 53) have been canceled.

It will be observed that claim 1 distinguishes between the information item (e.g. an email) containing a “retrieval condition”, on the one hand, and an image or sound file corresponding to the retrieval condition, on the other hand. In the last amendment, this distinction was made explicit. In line with the purpose of the invention, the functionality of the system described in claim 1 depends upon the sender being able to send a retrieval condition without the corresponding image or sound file, in reliance upon the ability of the receiver to use the table to display the corresponding image or sound file. Of course, the table as implemented in order to accommodate the bandwidth concerns of the invention has a dual aspect whose limitations (as shown in Figures 5 and 8) have now been incorporated (e.g. from claims 4 and 5) into the independent claims. As long as the table provides the necessary linkage between a retrieval condition (e.g. “key word”) and a corresponding image or sound file, the invention is satisfied. However, the dual aspect satisfies the bandwidth concerns of the invention by providing the table with

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and without the corresponding image and sound files, thus mirroring for the table the lower bandwidth transmission of an information item with a retrieval condition without the corresponding image or sound file.

While it is true, as the Examiner has noted, that “a table containing [an] identified image file inherently contains [an] identifier for the image file”, this truth does not exclude the low bandwidth aspect of the table without the corresponding image and sound files. As the Examiner has noted, the claims 1 and 16 are broad enough in their language to encompass both aspects, as can be seen from the parallel dependent claims (e.g. claims 4 and 5) that have now been canceled and incorporated into the independent claims. The Examiner’s clarifying interpretation is appreciated. However, for the operation of the claimed invention, it is important to note that the claimed table has both aspects and that both aspects of the table are included in the independent claims. It is also important to recognize the distinction between the information item (e.g. an email that is transmitted from sender to receiver) and the image or sound file (i.e. corresponding to the retrieval condition contained in the email). It is precisely in those low bandwidth transmissions of an information item containing a retrieval condition without a corresponding image or sound file (and the table in its corresponding accommodation) that the invention accomplishes its purpose. This is the intended clarification provided by the limitation “... image or sound file being distinct from said information item” added to each of the independent claims 1, 16, 29, 38 and 47 in the previous submission.

The Examiner has required a new title that is clearly indicative of the invention claimed. In light of the above discussion it is submitted that the title as amended above is clearly indicative of the invention claimed.

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The Examiner has maintained rejection of claims 29, 31-37, 47, and 49-55 under 35 U.S.C. §101, and has provided a number of suggestions. Claims 29 and 47 have been appropriately amended to overcome this ground of rejection.

It is noted with appreciation that the Examiner has not renewed the prior rejections based upon the Maeda and Cruickshank references.

The Examiner has rejected claims 1-7, 10-22, 25-29, 31-35, 38, 40-44 and 49-53 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,784,001 to Deluca et al. (“Deluca”). Claims 8, 9, 23, 24, 36, 37, 45, 46, 54, and 55 are rejected under 35 U.S.C. §103(a) as being unpatentable over Deluca in view of U.S. Patent No. 6,820,237 to Abu-Hakima et al. (“Abu-Hakima”). Abu-Hakima discloses an email and attachment (missing from Deluca) in the context of a system for context based highlighting of key words in a document.

Deluca is a system for invoking a pictorial system of messages that is not language specific (col. 1, lines 36-38; col. 5, lines 2-4; col. 7, lines 39-40; col. 7, lines 46, 49-51, 64-66). Thus, a sender is provided with a table of codes and language independent images associated with the codes. The sender selects the appropriate language independent images and then transmits the corresponding codes. At the receiver end, the “universally understood” (col. 2, line 62) images corresponding to the transmitted codes are displayed.

While Deluca shows a table linking codes with images, Deluca fails to address the bandwidth issues motivating the invention and, consequently, the table shown in Deluca does not disclose or suggest the dual aspects of the table claimed in the present invention, as described in greater detail above. It is therefore believed that the independent claims now explicitly incorporating both these aspects of the table are therefore allowable over the prior art of record.

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Further, since this dual character of the table is claimed in each of the independent claims, the claims depending therefrom are also believed to be allowable.

In view of the foregoing, it is requested that the application be reconsidered, that claims 1-3, 6-18, 21-29, 31, 34-38, 40-41, 43, 45-47, 49-50, 52 and 54-55 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at 703-787-9400 (fax: 703-787-7557; email: clyde@wcc-ip.com) to discuss any other changes deemed necessary in a telephonic or personal interview.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Sincerely,



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